



AGENDA ITEM: 3d.

DISCUSSION ITEM TITLE:

### **Examining the Presence of LASD Personnel in County Health Facilities**

#### **EXECUTIVE SUMMARY:**

At the September 23, 2021 meeting of the Los Angeles County Sheriff Civilian Oversight Commission (Commission), the Commission discussed a pending motion related to the Los Angeles County Sheriff's Department (LASD) Personnel in County Health Facilities. At the June 17, 2021 Commission meeting, there was discussion to inquire about information and materials from LASD and the Department of Health Services (DHS) and had consensus that Commission staff should pursue the information and materials by issuing letters of request to each entity.

#### **BACKGROUND:**

The Commission became aware of the October 6, 2020 LASD deputy-involved shooting of patient Nicholas Burgos inside of Harbor UCLA Medical Center that ultimately resulted in his untimely death. The Commission received numerous public comments voicing concern regarding the tragic nature of the incident and about LASD deputies providing security at L.A. County health facilities, where many economically vulnerable individuals seek critical medical care. The Commission reached out to LASD and community partners Mark-Anthony Clayton-Johnson, Executive Director of Frontline Wellness and Dr. Hannah Janeway from Los Angeles County Olive-View Medical Center to present at the June 17, 2021 Commission meeting.<sup>1</sup> They provided a presentation on the negative impact of having LASD deputies in the healthcare setting and patient safety and provided suggestions to reduce the negative impact on the community.<sup>2</sup>

LASD County Services Bureau Captain Britta Steinbrenner provided a brief overview of the LASD hospital security services (including medical campuses), the scope of deputies' duties in care settings, policies that apply to deputies in care settings, and the type of training deputies have regarding security in specific care settings. Captain Steinbrenner reported that all deputies are required to complete a twenty-two-week training course followed by ongoing refresher training.

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<sup>1</sup> June 17, 2021 Commission Meeting Minutes. Retrieved from [http://file.lacounty.gov/SDSInter/bos/commissionpublications/agenda/1109550\\_MeetingMinutes6-17-21Final.pdf](http://file.lacounty.gov/SDSInter/bos/commissionpublications/agenda/1109550_MeetingMinutes6-17-21Final.pdf).

<sup>2</sup> Frontline Wellness Network Presentation to the Commission on 6.17.2021. Retrieved from <http://file.lacounty.gov/SDSInter/bos/supdocs/FrontlineWellnessNetwork-LASDinCareSettingsCOCMeeting6.17.2021.pdf>.

The Commission found that the information provided by LASD was lacking in several areas and further review and analysis was required. The Commission discussed various information and data that they wanted to secure from the LASD and DHS. At the September 2021 Meeting, the Commission decided that staff should pursue the information and material via letters of request.<sup>3</sup> In September 2021, letters of request for information and materials were submitted to the LASD and DHS.<sup>45</sup>

In mid-September, DHS submitted responsive materials related to the DHS healthcare system, the Nation's second largest municipal health care system, which provides services to the County's more than 10 million residents.<sup>6</sup> DHS operates two Level 1 trauma centers capable of providing total care for every aspect of injury; four hospitals and 26 health centers.<sup>7</sup> DHS has more than 25,800 budgeted positions and serves more than 2.5 million patients.<sup>8</sup>

To prevent violence in hospitals, the Centers for Disease Control and Prevention (CDC) National Institute for Occupational Safety and Health (NIOSH) recommended prevention strategies for employers to develop a safety and health program.<sup>9</sup> The State of California Department of Industrial Relations (Cal/OSHA) required that mandatory postings be displayed in workplaces noting in part that, "All employers must provide work and workplaces that are safe and healthful" and requiring a written and effective Injury and Illness Prevention Plan Program (IIPP) meeting the requirements of California Code of Regulations, title 8, section 3203. L.A. County has a countywide IIPP policy.<sup>10, 11</sup> Responsive materials that DHS submitted included a copy of their FY2019-2020 joint LASD and DHS-Harbor-UCLA Medical Center Security and Safety Assessment (SSA).

The DHS-SSA refers to the hospital being proactive in addressing safety issues throughout the campus, conducting emergency operation committee meetings and emergency preparedness committee meetings, discussing critical incidents as well as the need to create joint policies to direct staff behavior to deter violent criminal behavior and to mitigate any criminal act or

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<sup>3</sup> September 23, 2021 Commission Meeting Minutes. Retrieved from

[http://file.lacounty.gov/SDSInter/bos/commissionpublications/agenda/1114035\\_MeetingMinutes9-23-21final.pdf](http://file.lacounty.gov/SDSInter/bos/commissionpublications/agenda/1114035_MeetingMinutes9-23-21final.pdf).

<sup>4</sup> Letter to Department of Health Services. Retrieved from <http://file.lacounty.gov/SDSInter/bos/supdocs/2021.09.28Ltr-TODHSLASDPresenceinCountyHealthFacilities.pdf>.

<sup>5</sup> Letter to LASD. September 29, 2021. Retrieved from <http://file.lacounty.gov/SDSInter/bos/supdocs/2021.09.29Ltr-LASDPresenceinCountyHealthFacilities.pdf>.

<sup>6</sup> L.A. County Department of Health Services. (2021). Department of Health Services Fact Sheet. Retrieved from [http://file.lacounty.gov/SDSInter/dhs/1060051\\_DHSFactSheetFY19-20-FINAL.pdf](http://file.lacounty.gov/SDSInter/dhs/1060051_DHSFactSheetFY19-20-FINAL.pdf)

<sup>7</sup> Ibid.

<sup>8</sup> Los Angeles County Budget. (2021). Department of Health Services-Budget FY2021-22. Retrieved from <https://ceo.lacounty.gov/wp-content/uploads/2021/04/2021-22-Recommended-Budget-Book-Volume-One-Final-Online-Version.pdf>

<sup>9</sup> Ibid.

<sup>10</sup> State of California Department of Industrial Relations. (2021). Safety and Health Protection on the Job. Retrieved from [https://www.dir.ca.gov/dosh/dosh\\_publications/shpstren012000.pdf](https://www.dir.ca.gov/dosh/dosh_publications/shpstren012000.pdf)

<sup>11</sup> Los Angeles County Department of Human Resources Policies, Procedures, and Guidelines. (2011). Injury and Illness Prevention Program (IIPP). Retrieved from [http://file.lacounty.gov/SDSInter/dhr/1057429\\_PPG611.pdf](http://file.lacounty.gov/SDSInter/dhr/1057429_PPG611.pdf)

disturbance. In the DHS-SSA they also recommend to “continue to provide deputy sheriffs and sheriff security officers at current levels to respond to any and all unusual activities within the hospital.” DHS also provided a copy of their Policy #138-Law Enforcement Use of Force on Harbor-UCLA Campus, which refers to the LASD personnel representing the County of Los Angeles in the Administration of their duties and that they are to be contacted to prevent a crime or if a crime is being committed. In addition, DHS provided a copy of their Policy #451-Outside Law Enforcement Agency Contact with Patients, which is to provide guidance to hospital staff regarding interactions with outside law enforcement not regularly assigned to Harbor-UCLA Medical Center to ensure that patients receive the necessary medical treatment and that their privacy is protected as well as that weapons are not permitted in any psychiatric units. Other policies that DHS provided the Commission with include:

- ✓ Policy #404B-Code Silver: Person with a Weapon, Active Shooter &/or Hostage Situation
- ✓ Policy #347C-Code Gray: Combative Person
- ✓ Policy #449-Investigation of Possible Crimes
- ✓ Policy #347B-Code Gold-Behavioral Response Plan

In the end of September, the LASD, which is the largest Sheriff’s Department in the world responsible for providing public safety services for Los Angeles County submitted responsive materials related to the LASD’s hospital security operations associated with their agreement with DHS. DHS currently contracts with the LASD for six (6) County hospitals and associated clinics for approximately \$38 million. The contract includes 135 employees (69 sworn and 66 security officers). Each hospital has a contracted field sergeant per shift, a facility liaison sergeant, and two area service lieutenants who share supervisory responsibilities over the entire DHS contract.

LASD refers to department members interactions with the public in health facilities being based upon the LASD’s Manual of Policy and Procedures (MPP) and applicable DHS policies such as Policy No. 451. LASD policies address areas such as personnel conduct towards others, professional conduct, and bias free policing, and apply to interactions with the public in health facilities. Policies that LASD provided the Commission with include:

- ✓ MPP 2-02/090.00-Deputy Sheriffs
- ✓ MPP 3-01/030.15-Conduct Toward Others
- ✓ MPP 3-01/000.10-Professional Conduct
- ✓ MPP 3-01/000.13-Professional Conduct-Core Values
- ✓ MPP 3-01/000.05-Bias -Free Policing
- ✓ MPP 3-10/150.00-Tactical Incidents
- ✓ MPP 5-09/070.05-Emergency Detention
- ✓ Field Operations Directive (FOD) 16-003-Calls for Service Involving Alleged Mentally Ill Persons

- ✓ Newsletter 16-12 Terms and References Related to Calls Involving Alleged Mentally Ill Persons
- ✓ LAC+USC Policy #904-Behavior Response Team (BRT)
- ✓ DHS Policy #451-Outside Law Enforcement Agency Contact with Patients

According to LASD the health facility settings maintain a relatively high volume of calls for service as LASD personnel responded to close to 19,000 calls for service in 2020. As a part of their contract services in 2019, LASD reported 216 “Part One Crimes” (e.g., homicide, aggravated assault, burglary, motor vehicle theft, arson, etc.) on the DHS campuses (ten of which were violent events) and the weapon screening process found more than 35,000 prohibited items (e.g., knives, razors/box cutters, screwdrivers, replica firearms, etc.).<sup>12</sup> In 2020, the LASD similarly reported 149 “Part One Crimes” on DHS campuses. During the period of January 2020 through August 2021, LASD health facility personnel recorded 44 use of force incidents but note only receiving 8 complaints over a two-year period.

The LASD advised if their contract was removed from the County hospitals, all policing services would default to the local policing agencies in the affected jurisdictions. The ability for each of the policing agencies to assume any added calls for service within an appropriate response time could be in question and problematic for service recipients as well as stakeholders. The LASD provided recommendations for improving the LASD hospital security operations that included issuing body worn cameras to the County Services Bureau (CSB) personnel and upgrading camera surveillance systems at all hospitals and clinics.

## **RECOMMENDATION/CONCLUSION:**

After reviewing the information and materials from the LASD and DHS along with this staff report, staff recommends the Commission should receive and file this memo and related materials. Staff will continue to monitor the following LASD and DHS areas to improve the transparency and accountability of the LASD County Health Facility Security Services:

1. Annual Health Facility Security Assessments
2. Crimes & Arrests at County Health Facilities Data
3. County Services Bureau Health Facilities Use of Force Data
4. Complaints made by individuals arising out of contact with LASD personnel at County Health Facilities Data

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<sup>12</sup> L.A. County Department of Health Services. (2021). Report Back on Promoting the Health and Safety of Patients, Visitors and Employees on County of Los Angeles' Medical Campuses. Retrieved from [http://file.lacounty.gov/SDSInter/bos/bc/1108974\\_PromotingtheHealthandSafetyofPatients\\_VisitorsandEmployeesonCountyofLosAngeles\\_MedicalCampusesandAttachment.6.2.2.21.pdf](http://file.lacounty.gov/SDSInter/bos/bc/1108974_PromotingtheHealthandSafetyofPatients_VisitorsandEmployeesonCountyofLosAngeles_MedicalCampusesandAttachment.6.2.2.21.pdf)

**GUEST SPEAKERS (on-call):**

- Azar Kattan, Chief Operating Officer at Harbor-UCLA MC  
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COC:tj